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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JIMMY SALAS,
Defendant.)
) CASE NO: 2:18-cr-277-APG-BNW
)
) **STIPULATION AND ORDER TO**
) **CONTINUE SENTENCING**
)
) (Second Request)
)

IT IS HEREBY STIPULATED AND AGREED by Jimmy Salas, by and through his attorney, JAMES A. ORONOZ, ESQ., and the United States of America, by and through BRIAN Y. WHANG, ESQ., Assistant United States Attorney, that the video sentencing hearing currently scheduled for September 8, 2020, at 10:30 a.m., be vacated and continued at least ninety (90) days past the current sentencing date to a date and time that is convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. The parties initially requested a ninety-day continuance of the sentencing due to dangers related to the coronavirus, COVID-19. At this point, the dangers of COVID-19 have not subsided, and the number of cases in Nevada increases exponentially every day. Because of the continued safety issues and the ongoing need for social distancing, the parties request that the sentencing hearing in this matter be continued. On March 16, 2020, the Chief Judge of the United States District Court for the District of Nevada issued Temporary General Order 2020-03, wherein the Chief Judge explained that due to COVID-19, the President of the United States has declared a national emergency, and state and local governments have declared local

1 emergencies. Due to the ongoing health emergency from the spread of
2 COVID-19, continuing the sentencing hearing in this case will serve the
3 interests outlined in the Temporary General Order 2020-03.

- 4 2. On March 19, 2020, the Chief Judge of the United States District Court for
5 the District of Nevada issued Temporary General Order 2020-04, which
6 stressed the need to eliminate in-person court appearances. Although
7 Temporary General Order 2020-05 provides limited circumstances in which
8 a sentencing may be conducted via video conference, the parties in this case
9 submit that the interests of justice will be best served by continuing the
10 sentencing hearing until in-person appearances are considered safe.
- 11 3. Defendant Jimmy Salas is not in custody, and he has no objection to the
12 continuance.
- 13 4. Defense Counsel for has spoken to AUSA Brian Whang, and he agrees to the
14 continuance.
- 15 5. The additional time requested herein is not sought for purposes of delay.
- 16 6. The additional time requested by this Stipulation to Continue Sentencing is
17 reasonable pursuant to Fed.R.Crim.P. 32(b)(2), which states that the “court may,
18 for good cause, change any time limits prescribed by this rule.”
- 19 7. Additionally, denial of this request for continuance could result in a miscarriage
20 of justice.

21 DATED: July 29, 2020

22 Respectfully submitted,

23 /s/ James A. Oronoz
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26 1050 Indigo Drive, Suite 120
27 Las Vegas, Nevada, 89145
28 Attorney for Jimmy Salas

21 /s/ Brian Y. Whang
22 Brian Y. Whang, Esq.
23 Assistant United States Attorney
24 501 Las Vegas Boulevard, South, Suite 1100
25 Las Vegas, Nevada, 89101
26 Attorney for the United States of America

27 IT IS SO ORDERED: the sentencing hearing currently set for September 8, 2020 is vacated
28 and continued to December 10, 2020 at 10:30 a.m. in Courtroom 6C before Judge Andrew P.
Gordon.

27 DATED this 30th day of July, 2020.



28 UNITED STATES DISTRICT JUDGE